

REMARKS

In response to the Final Office Action dated August 27, 2007, and having a period for response (including extensions) set to expire on February 27, 2008, Applicant respectfully requests that the Primary Examiner consider the following remarks.

Applicant is filing a Notice of Appeal concurrent with the submission of this Response. Applicant submits that the required appeal fees were originally submitted on November 10, 2005, the date of Applicant's first appeal in this application (from which prosecution was reopened), and that no further appeal fees are required at this time. (See Exhibit A, See also MPEP 1204.01).

The claims in this Response have not been amended.

Applicant is also filing herewith a supplemental declaration from the inventor John N. Glover (hereinafter referred to as the "Supplemental Declaration"). (See Exhibit B).

As discussed in a previous Declaration dated November 5, 2003, Mr. Glover participated in an experiment in which comparative performance data was obtained for ceramic filter units. Ceramic units in accordance with embodiments of the presently claimed methods having combinations of elliptical and circular openings, along with flutes, were compared to ceramic units in accordance with prior art units having combinations of circular openings and flutes.

In the enclosed Supplemental Declaration, Mr. Glover submits that additional unexpected and surprisingly advantageous properties have been discovered with regard to the presently claimed units.

This Supplemental Declaration is being filed after a Final Action, but on the same date as the Notice of Appeal.

Applicant respectfully submits that there are good and sufficient reasons why the Supplemental Declaration is necessary and should be entered into the record at this time.

For example, the evidence presented in this Supplemental Declaration was included in Applicant's previously filed Response dated June 8, 2007, but not in the form of a Declaration from the Inventor. (See Exhibit C). Although the Primary Examiner did not officially enter the evidence into the record, he did consider and comment on the evidence in the Final Office Action dated August 27, 2007 (See Exhibit D).

Thus, entering the Supplemental Declaration into the record at this time would not necessitate any further search by, or otherwise significantly burden, the Primary Examiner. Further, the inclusion of the Supplemental Declaration in the record places this application in better form for appeal.

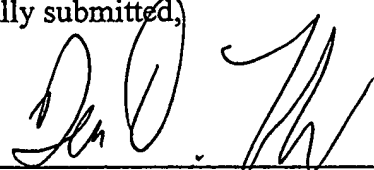
CONCLUSION

For the foregoing reasons, reconsideration of this application is respectfully requested. The Commissioner is authorized to charge any fees which may be required (or credit any overpayment), to Greenberg Traurig Deposit Account No. 50-2638 (Order No. 105218.04).

Date: _____

2/26/08

Respectfully submitted,



Ben D. Tobor, Reg. No. 27,760
GREENBERG TRAURIG LLP
1000 Louisiana Street, Suite 1800
Houston, Texas 77002
Phone: (713) 374-3568
Fax: (713) 754-7568
ATTORNEY FOR ASSIGNEE
CRYSTAPHASE INTERNATIONAL, INC.